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OFFICE OF PETITIONS

In re Application of :
Jeung Ui Kwen :
Application No. 10/791,770 : ON PETITION
Filed: 4 March, 2004 :
Attorney's Docket No. 1988.0003C :

Receipt is acknowledged of the petition filed on 18 June, 2004, concerning the U.S. Patent and Trademark Office's handling of an application assigned application Serial No. 10/791,770.

The petition is dismissed.

The application was filed on 4 March, 2004. However, on 21 May, 2004, Initial Patent Examination Division mailed a Notice of Omitted Item(s) in a Nonprovisional Application stating that the application had been accorded a filing date of 4 March, 2004, and advising applicant that Figure 7b described in the specification appeared to have been omitted.

In response, the present petition was filed. Petitioners explain that Figure 7b was not missing on 4 March, 2002. Instead, the specification incorrectly referred to Figure 7b when no such figure was intended to be filed.

It is obvious from the petition that no drawing was actually missing on 4 March, 2004. Rather, the specification referred to Figure 7b as a result of applicant's filing error. However, the "Notice" mailed on 21 May, 2004, was correct in stating that Figure 7b described in the specification appeared to have been omitted. Therefore, the "Notice" was properly mailed and will not be withdrawn.

The present petition was not necessitated by any error on the part of the Office and the \$130.00 petition was required upon

filing of the petition. Thus, the \$130.00 petition fee will not be refunded.

It is noted that petitioner has submitted a preliminary amendment to correct the references to the drawing Figures.

The application is being forwarded to Technology Center 3700 for examination in due course, using the application papers present on filing.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-6918.

A handwritten signature in dark ink, appearing to read 'D. Wood', is written above the printed name.

Douglas I. Wood
Senior Petitions Attorney
Office of Petitions